

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,
Plaintiff,

v.

FRANK R. PARLATO, JR.
Defendant.

NOTICE OF MOTION

Case No.: 15-cr-00149(RJA)

S I R S :

PLEASE TAKE NOTICE, that upon the annexed affidavit of Herbert L. Greenman the undersigned moves this Court for an Order permitting defendant Frank Parlato to waive his appearance at a status conference scheduled for Monday, May 23, 2022 for reasons set forth in the affidavit annexed hereto and made a part hereof together with such other and further relief as to this Court may deem just and proper.

DATED: Buffalo, New York
May 19, 2022

Respectfully submitted,

/s/Herbert L. Greenman

PAUL J. CAMBRIA, JR., ESQ.,
HERBERT L. GREENMAN, ESQ.
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Buffalo, New York 14202

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,
Plaintiff,
v.

AFFIDAVIT

Case No.: 15-cr-149(RJA)

FRANK R. PARLATO, JR., et al
Defendant.

STATE OF NEW YORK)
COUNTY OF ERIE)ss
CITY OF BUFFALO)

HERBERT L. GREENMAN, ESQ. being duly sworn, depose and say:

1) I am an attorney for the defendant Frank R. Parlato, Jr. together with co-counsel Paul J. Cambria, Jr, Esq.

2) A status conference is scheduled to be held before Senior United States District Judge Richard J. Arcara on May 23, 2022.

3) As the Court may be aware, Mr. Parlato resides in Florida. He has been scheduled for cataract surgery on Monday, May 23, 2022 in Florida.

4) As a consequence, we ask the Court to permit Mr. Parlato to waive his appearance at the status conference.

5) Assistant United States Attorney Michael DiGiacomo has advised that he has no objection to this request.

WHEREFORE, your deponent prays that this Court issue an Order accordingly.

/s/Herbert L. Greenman
Herbert L. Greenman, ESQ.

Subscribed and sworn to before me this
19th day of May, 2021

/s/Elizabeth M. Jagord-Ward

Notary Public State of New York,
Qualified in Erie County
My Commission Expires October 31, 2022.